



State of Arizona Acupuncture Board of Examiners

1400 West Washington, Suite 230, Phoenix, Arizona 85007

(602) 542-3095 FAX (602) 542-3093

REGULAR MEETING

July 25, 2007

MINUTES

Board Members Present:

Della Estrada, L.Ac., Chairman
Joe Balensi, L.Ac., Secretary
Rebecca Wilks, MD, MD(H), Professional Member
Toni Karnas, Public Member (by telephone)
Diane Pruetz, Public Member (by telephone)
Ross Adelman, Public Member
Michael J. Robb, D.C., Professional Member
Toni Bernalley, L.Ac., Professional Member

Board Members Absent:

Yong Deng, L.Ac., Professional Member

Attorney General Representative:

Seth Hargraves

Administrative Staff:

Pete Gonzalez, Executive Director

I. Call to Order

Chairman Estrada called the meeting to order at 10:00 a.m. Chairman Estrada welcomed new Board Members Ross Adelman and Toni Bernalley.

II. Declaration of Conflicts of Interest

Board Member Estrada declared a conflict of interest with the auricular certificate application of Sherry Laventure.

Board Member Bernalley declared a conflict of interest with the license application of Linda Scott.

III. Discussion and Approval of Minutes

Board Member Wilks moved the adoption of the minutes for the April 25, May 30, and July 6, 2007 board meetings with Board Member Robb providing a second. The Board approved the motion with an 8-0 vote.

Board Member Wilks moved the adoption of the minutes of the April 25, 2007 Executive Session with Board Member Robb providing a second. The motion was approved 8-0.

IV. Complaints/Investigations

The Executive Director reviewed Complaint #2007-001(UC) re: Andre Zitcer, L.Ac. The Board was provided with an explanation from Assistant Attorney General Seth Hargraves of the amended Consent Agreement to be forwarded to Mr. Zitcer for consideration.

The Board discussed and agreed that Mr. Zitcer's medical records would be kept confidential.

Board Member Pruetz provided a motion for the Board to enter Executive Session to receive legal advice. Board Member Karnas seconded the motion. The Board approved the motion with an 8-0 vote. The Executive Session started at 10:45 a.m.

The Board reconvened to the regular meeting session at 11:02 a.m.

Board Member Wilks moved the adoption of the Consent Agreement, as amended, with Board Member Estrada providing a second. A roll call vote was taken:

Board Member Pruetz—Aye
Board Member Karnas—Nay
Board Member Adelman—Aye
Board Member Robb—Aye
Board Member Estrada—Aye
Board Member Balensi—Aye
Board Member Wilks—Aye
Board Member Bernalley—Aye

The motion was approved with a 7 (ayes) and 1 (nay) vote.

Executive Director Gonzalez reviewed Complaint #2007-006 (UP) re: Four Winds Health Center with the Board. The individual who filed the complaint has not provided, after a couple of written requests, additional information to assist in the investigation of this matter.

Board Member Estrada moved for the dismissal of this complaint with Board Member Wilks providing a second. The motion was approved with an 8-0 vote.

V. Applications for Licensure

Board Member Pruetz moved for the approval of the applicants for licensure listed below with Board Member Karnas providing a second. The Board approved the motion with a 7-0 vote with Board Member Bernalley recluse from voting.

- A. Linda Leon Scott
- B. Tess Richardson
- C. John E. Skwiot

VI. Applications for Auricular Certification

Board Member Bernalley moved for the approval of the applicant for auricular certification listed below with Board Member Wilks providing a second. The Board approved the motion by a 7-0 vote with Board Member Estrada reclused from voting.

- A. Sherry L. Laventure

VII. Other Applications/Requests-Continuing Education

The Board was provided an explanation of the materials by the Executive Director before the Board considered the continuing education application. The approval checklist was discussed and reviewed.

Board Member Wilks moved for the approval of the Continuing Education Application listed below with Board Member Balensi providing a second. The Board approved the motion by an 8-0 vote.

“Sanjiao Energetics: The Heart of Chinese Energetic Medicine” presented by Ed Garbacz, MD for 15 continuing education units to be provided at the Cactus Flower Wellness Center on October 27, 2007 in Tucson.

VIII. Professional Business

The Executive Director reviewed the letter from Senator Tom O’Halloran who is the Chair of the Senate Health Committee of Reference. The letter provides the factors to be used by the Legislature for the sunset review of the Board. The Board has been requested to respond to a series of questions as outlined in state law (A.R.S. §41-2954).

The Board continued and completed its review of board rules. At the next regular board meeting, the Board will review the final draft before submission to the Governor’s Regulatory Review Council (GRRC).

Board Members Pruetz and Karnas left the meeting at 11:25 a.m.

IX. Executive Director Report

The Executive Director shared the information found for fiscal year 2007 to include:

- 1) License renewal customer service survey data
- 2) Auricular certificate renewal customer service survey data
- 3) License application customer service survey data
- 4) Board web site activity

X. Future Meeting Dates

August 22, 2007
September 26, 2007

XI. Call to the Public

XII. Discussion of Items to be placed on a future meeting agenda

No requests were made.

XIII. Adjournment

Board Member Wilks moved for adjournment and Board Member Balensi provided a second. The motion passed by a vote of 6-0. The Board adjourned at 1:05 p.m.

Respectfully Submitted,

Pete Gonzalez
Executive Director

Approved by the Board: August 22, 2007